

REMARKS

Claims 1-61 were pending in the above-identified application prior to entry of this Amendment. In this Amendment, claims 1-19, 21-31, and 33-38 have been withdrawn. Accordingly, after entry of this Amendment, claims 20, 32, and 39-61 are pending in this case. The changes to the claims do not constitute the addition of new matter and full support for the changes may be found in the specification and claims as originally filed.

Restriction Requirement

Examiner has required Applicant to elect one of groups I-III in the Office Action under 35 U.S.C. §121. The claims were separated in the following groups:

Group I: Claims 1-19, 21-31, drawn to a method of making a modified antibody formulation classified in class 424, subclass 179.1.

Group II: Claims 20, 32, 39-61, drawn to an antibody formulation, classified in class 424, subclasses 130.1, and 134.1.

Group III: Claims 33-38, drawn to a method of treating or preventing a condition in a mammalian subject, classified in class 424, subclasses 130.1 and 134.1.

Applicants hereby provisionally elect, with traverse, Group II, claims 20, 32, and 39-61, drawn to an antibody formulation.

Applicant respectfully submits that examination of all pending claims 1-61 of the present application is far less burdensome for both Applicant and Examiner than would be prosecution of potentially 3 separately filed applications as a result of Examiner's restriction.

At a minimum, Applicant respectfully requests that Examiner consolidate the numerous groupings sharing the same classification, particularly those sharing both the same class and subclass. Applicant respectfully submits that such consolidation will impose no serious burden on examination, nor has Examiner alleged that such a burden exists as required under the rules.

The Applicants reserve the right to pursue the remaining claims in divisional or continuation applications. The Applicants note that restriction between product and process claims was required. Further, Applicants note if the elected product claims are found allowable, withdrawn process claims that depend from or otherwise require all the limitations of the allowable product claim will be considered for rejoinder.

It is respectfully submitted that the claims have been put in condition for allowance. Notification to this affect is earnestly solicited. The Examiner is encouraged to contact the Applicants' undersigned attorney to discuss this matter if any questions should arise upon further examination of the pending claims.

Respectfully submitted,

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Date



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